

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

RHIANNON PENNINGTON,

Plaintiff,

Civil No. 3:21-cv-1039-MC

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Order Awarding Attorney's Fees
pursuant to the Equal Access to Justice Act,
28 U.S.C. § 2412(d)

Before the Court is the Motion of Plaintiff, Rhiannon Pennington, for award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Based on the pleadings as well as the position of the defendant who has indicated no opposition to this Motion, and recognizing Plaintiff's waiver of direct payment and assignment of EAJA to her counsel,

IT IS HEREBY ORDERED that attorney fees and expenses in the total amount of Eleven Thousand, Ninety-Seven Dollars and Twenty-Eight cents (\$11,097.28) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff. *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

The Court hereby awards EAJA fees, broken down as follows:

Plaintiff is awarded fees for 1 hour of work performed in 2020 (\$207.78), 0.7 hours of work performed in 2021(\$152.28), and 45.7 hours of work performed in 2022 (\$10,737.22) for a total fee of \$11,097.28 under 28 U.S.C. § 2412(d);

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees, expenses, and costs are not subject to offset allowed under the Department of the Treasury's Offset Program (TOPS), then the check for EAJA fees, expenses, and costs shall be made payable to Plaintiff's attorney, Maren Miller Bam, and mailed to the following address:

Salus Law, PLLC
8513 W. 9th Avenue
Kennewick, WA, 99336

So ordered.

Date: May 24, 2023

s/Michael J. Mcshane
Michael McShane
United States District Judge

Order proffer: Maren Miller Bam; copy to Lars Nelson]